

Memorial Resolution

S. R. No. 53—By Senator Colson: Memorial resolution for Mr. Thomas Bradford Robinson.

Adjournment

Senator Moffett moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, January 29, 1962.

Senator Reagan moved that the Senate stand recessed until 2:00 o'clock p.m. today.

Question first on the motion of Senator Moffett to adjourn until Monday, 10:30 o'clock, on Monday, January 29, 1962, the motion prevailed.

Accordingly the Senate at 12:21 o'clock p.m., adjourned until 10:30 o'clock a.m. on Monday, January 29, 1962.

Record of Votes

Senators Colson, Secrest, Hardeman, Crump, Owen, Ratliff, Kazen, Martin, Hudson, Reagan, Patman, Willis and Parkhouse asked to be recorded as voting "Nay" on the motion to adjourn.

THIRTEENTH DAY

(Monday, January 29, 1962)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 26, 1962, was dispensed with, and the Journal was approved.

Leaves of Absence

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Hudson.

Senator Roberts was granted leave of absence for today on account of important business on motion of Senator Aikin.

Message from the House

Hall of the House of Representatives
Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 41, Relating to and fixing minimum and maximum salary of the official shorthand reporter for the 142nd Judicial District of Texas composed of Midland County, and the 143rd Judicial District of Texas; with saving clause; and declaring an emergency.

S. B. No. 50, A bill to be entitled "An Act validating orders entered by County Judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the officials of such cities, towns or villages; validating the corporate existence of such cities, towns or villages and elections heretofore held for the election of officials, and validating the acceptance of Title 28, Revised Civil Statutes as amended by such cities, towns and villages; providing that the officials named in such order constituted the officials of such city; enacting other provisions relating to the subject; providing the Act shall not apply to any municipality the validity of which is involved in litigation; and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act amending Section 1 of Chapter 50, Acts of the Fifty-fifth Legislature, Regular Session, 1957, as

amended, to include the Wildlife resources of Kimble and Schleicher Counties within the regulatory authority of the Game and Fish Commission; and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act validating Wise County Water Control and Improvement District No. 1; validating the boundaries of said District; validating all actions, orders, or other proceedings in connection with its creation, organization and operation; validating all actions, orders, or other proceedings relating to the calling, conducting and declaring the results of any confirmation election, or bond election; validating all bonds heretofore voted; validating the appointment or election of Directors; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 3 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Colson submitted the following report:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 40, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 55, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

House Bill 55 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent H. B. No. 55 was ordered not printed.

Reports of Standing Committees

Senator Lane submitted the following reports:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 34, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 35, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 98, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 49, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 82, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 12, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Baker submitted the following reports:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Banking, to whom was referred H. B. No. 81, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BAKER, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Banking, to whom was referred S. B. No. 99, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BAKER, Chairman.

Senate Bill 99 Ordered Not Printed

On motion of Senator Martin and by unanimous consent S. B. No. 99 was ordered not printed.

Senate Bill 81 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent S. B. No. 81 was ordered not printed.

Message from the House

Hall of the House of Representatives

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 13, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, located in Wood and Upshur counties, to be known as the 'Wood and Upshur Counties Water District,' for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial and mining uses and processing and transporting the same and for the purpose of providing or acquiring storm sewers; providing for a method of electing a Board of Directors to govern said district; providing for the annexation of additional territory thereto; authorizing the District to do all things to make available for the above named uses underground water or water from surface sources and water it may obtain by purchase, lease, and operation of contracts with persons, firms, corporations, and public agencies or the United States government or any of its agencies; empowering the District to acquire land and construct, lease or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or transporting water for the above named purposes; authorizing the District to lease or acquire rights in and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provision for the payment and security thereof; making applicable to the District Title 52, Revised Civil Statutes, as amended, relating to eminent domain, and declaring the District to be a municipal corporation within the meaning of Article 3268 of Title 52; providing that the District shall bear the expense of relocation, raising, or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the District; enacting other provisions relating to the subject; providing for severability; and declaring an emergency."

H. B. No. 58, A bill to be entitled "An Act amending Section 1 of Chapter 85, Acts of the 54th Legislature, Regular Session, 1955 (compiled as Article 326k-27 of Vernon's Texas Civil Statutes), authorizing the appointment of an investigator by the District Attorney of the 118th Judicial District, to serve as investigator in that judicial district; prescribing his powers and duties and providing for his compensation and expenses; and declaring an emergency."

H. B. No. 85, A bill to be entitled "An Act to authorize the trustees of independent school districts having fewer than one hundred seventy-five thousand (175,000) scholastics according to the last official scholastic census, whether created by general law or special Act, in counties having a population of more than one million two hundred thousand (1,200,000), according to the last preceding federal census, to fix the date of election of such trustees on the first Saturday in April or on the first Saturday in October as the trustees by official resolution may provide; to authorize the trustees of such independent school districts in said counties to provide by resolution for the election of trustees by a majority vote and to provide for a second election in the event no candidate receives such vote at the first election; and declaring an emergency."

H. B. No. 20, A bill to be entitled "An Act amending Section 1 of Chapter 50, Acts of the 55th Legislature, Regular Session, 1957, as amended, to include the wildlife resources of Kimble and Schleicher Counties within the regulatory authority of the Game and Fish Commission; and declaring an emergency."

H. B. No. 27, A bill to be entitled "An Act closing the season for hunting alligators in Orange County, Texas; providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

H. B. No. 82, A bill to be entitled "An Act authorizing the exchange and conveyance of certain State-owned realty for certain realty owned by the United States; describing by metes and bounds the realty authorized to be exchanged; and declaring an emergency."

H. B. No. 88, A bill to be entitled

"An Act relating to the hunting, taking, or killing of antlerless deer in Travis County; providing penalties; and declaring an emergency."

H. B. No. 26, A bill to be entitled "An Act ratifying, confirming and validating the El Paso County Water Control and Improvement District-Westway and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article 16, Constitution of Texas; ratifying, confirming and validating the organization of the Board of Directors, the minutes of the Board of Directors, the oaths and surety bonds of Directors, the present Board of Directors, the boundaries and area, the appointment and actions of tax assessor and collector and board of equalization, tax rolls, all proceedings and all governmental proceedings of the Board of Directors, the bond election proceedings, the bond election notices, the bond election, the bond order, the sale of the bonds, and all related proceedings, contracts, orders and resolutions; ratifying, confirming and validating all acts and proceedings of the Board of Directors except orders heretofore repealed by said Board; ratifying, confirming and validating the bonds, and providing that the bonds approved by the Attorney General, registered by the Comptroller, and sold and delivered to the purchaser or purchasers are and shall be incontestable; finding and determining that the lands and other property within said District are and will be benefited; providing for a litigation clause; providing for a severability clause; and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act amending Sections 1, 2, 3, subsection (c) of Section 4, and Section 5 of Chapter 603, Acts of the Fifty-first legislature, Regular Session, 1949 (Article 6252-3, Vernon's Annotated Texas Statutes), so as to provide for a Voluntary Payroll Investment Plan by officers and employees of the State of Texas or of any County or other political subdivision or municipal corporation therein in Credit Unions organized by said officers and employees; creating an Employees Credit Union Investment Account; empowering the head of any State Department or the disbursing officer of any County or other political subdivision or municipal corporation in the State of Texas to withhold por-

tions of the salary or other compensation of officers or employees when duly authorized in writing by such officers or employees for the investment for the benefit of such officers and employees in Employees Credit Unions; providing that the Comptroller or disbursing officer shall issue and the Treasurer of the State or Treasurer of any county or other political subdivision or municipal corporation of the State of Texas shall pay a proper warrant which shall be used for the purpose of investing in such Employees Credit Unions for the account of such officers or employees when authorized so to do in writing; providing that such authorization to make investment may be terminated; providing that any money not expended in such investment upon termination of such authorization shall be returned to the officer or employee from whom it has been withheld; providing that the head of any State Department or disbursing officer shall not be liable under any bond required of him as such official; and declaring an emergency."

H. B. No. 91, A bill to be entitled "An Act limiting the provisions of this Act to the County of Mills, making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in said County at any time; to take, kill or trap or attempt to take, kill or trap any fur-bearing animal in said County or to take or attempt to take any fish or other aquatic or marine animal from said County by any means or method; providing the powers, duties and authority of the Game and Fish Commission; requiring the Game and Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said County; defining depletion and waste; providing for the issuance of the antlerless deer permits; providing for a public hearing; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission and the effective period thereof; providing for the publication of the regulations; providing venue for suits to test the validity of this Act or of the proclamations, rules, regulations or orders of the Commis-

sion; providing a penalty; providing for the forfeiture of licenses; defining wildlife resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause; and declaring an emergency."

H. B. No. 92, A bill to be entitled "An Act amending Section 1 of Chapter 376, Acts of the 54th Legislature, Regular Session, 1955, codified as Article 8280-176, Vernon's Texas Civil Statutes, so as to change the name of the Runnels County Water Improvement District to the 'Runnels County Water Improvement Authority'; and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act establishing a juvenile board in Runnels County; providing for the Board's powers, duties, and authority; providing for its membership and the compensation to be paid the members; and declaring an emergency."

H. B. No. 101, Relating to the hunting, taking or killing of deer in Hopkins, Delta, and Franklin Counties; amending Subsection B of Section 1 of Chapter 362, Acts of the Fifty-seventh Legislature, Regular Session, 1961, to establish a ten-day season for the taking of deer in Hopkins, Delta and Franklin Counties; and declaring an emergency.

H. C. R. No. 22, Requesting the Comptroller of Public Accounts to rescind certain interpretations of the Limited Sales, Excise and Use Tax and issue new interpretations in lieu thereof.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk House of Representatives

Senate Resolution 56

Senator Hudson offered the following resolution:

Whereas, The President of the United States is asking the Congress of the United States for authority to purchase United Nations Bonds in the sum of \$100,000,000, bearing interest at 1½ per cent; and

Whereas, The United States is assessed 33 per cent of the regular United Nations budget, which assessment presently equals \$60,619,000 annually, which sum the United States has not only paid but has made advance payments of several millions of dollars; and

Whereas, The United States pays

47½ per cent of the United Nations Congo operations, which include expenses of operations in Katanga; and

Whereas, Russia is assessed only \$18,000,000 annually for the regular United Nations budget, and has refused to pay any part of the United Nations special assessment for operations in the Congo; and

Whereas, The people of Katanga and their leader, Tshombe, are pro-West and anti-Communist and would like to be special friends of the United States; and

Whereas, The United Nations has no record of financial responsibility to justify the loan, and the proposed interest rate is far below world interest rates on governmental loans; and

Whereas, The United States national debt presently approximates \$298,000,000,000 and the Secretary of the United States Treasury has announced he will ask the present Congress to raise the debt limit to \$308,000,000,000; now, therefore, be it

Resolved, By the Senate of the State of Texas:

Section 1. That the Senate of the State of Texas hereby petitions the Congress of the United States to reject the proposal that the United States purchase \$100,000,000 United Nations Bonds.

Section 2. That promptly after the passage of this Resolution the Secretary of the Senate transmit a certified copy of this Resolution to each of the following:

(a) The Vice-President and the Speaker of the House of Representatives of the United States; and

(b) The members of the Texas delegation in the Congress of the United States.

The resolution was read.

Senator Hudson asked unanimous consent to reconsider the resolution immediately.

There was objection.

Senator Krueger moved as substitute motion that S. R. No. 56 be sent to the Committee on State Affairs.

Question first on the motion to send S. R. No. 56 to the Committee on State Affairs, Yeas and Nays were demanded.

The motion was lost by the following vote:

Yeas—12

Aikin	Moore
Baker	Parkhouse
Creighton	Patman
Herring	Rogers
Kazen	Secrest
Krueger	Willis

Nays—14

Calhoun	Lane
Crump	Moffett
Dies	Owen
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Schwartz
Hudson	Smith

Absent

Colson	Spears
Martin	

Absent—Excused

Roberts	Weinert
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Question recurring on the motion by Senator Hudson to consider the resolution immediately. Yeas and Nays were demanded.

The motion prevailed by the following vote:

Yeas—17

Calhoun	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Ratliff
Hazlewood	Reagan
Hudson	Schwartz
Lane	Smith
Martin	

Nays—11

Aikin	Patman
Baker	Rogers
Hardeman	Secrest
Herring	Spears
Kazen	Willis
Krueger	

Absent

Colson

Absent—Excused

Roberts	Weinert
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On motion of Senator Hudson and by unanimous consent, further consideration of S. R. No. 56 was withdrawn temporarily.

Question—Shall S. R. No. 56 be adopted?

Bills and Resolutions Signed

The President Pro Tempore signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. B. No. 34, A bill to be entitled "An Act to provide for the registration and protection of trademarks and service marks, to define certain terms, to define marks registrable and marks not registrable, to define the requirements for an application for registration, to instruct the Secretary of State as to handling of applications for registration and issuance of certificates of registration, etc.; and declaring an emergency."

S. B. No. 41, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official Shorthand Reporter for the 143rd Judicial District of Texas; with saving clause; and declaring an emergency."

S. B. No. 50, A bill to be entitled "An Act validating orders entered by County Judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the officials of such cities, towns or villages; validating the corporate existence of such cities, towns or villages and elections heretofore held for the election of officials, and validating the acceptance of Title 28, Revised Civil Statutes as amended by such cities, towns and villages; providing that the officials named in such order constituted the officials of such city; enacting other provisions relating to the subject; providing the Act shall not apply to any municipality the validity of which is involved in litigation; and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act amending Section 1 of Chapter 50, Acts of the Fifty-fifth Legislature, Regular Session, 1957, as amended, to include the wildlife resources of Kimble and Schleicher Counties within the regulatory authority of the Game and Fish Commission; and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act validating Wise County Water Control and Improvement District

No. 1; validating the boundaries of said District; validating all actions, orders, or other proceedings in connection with its creation, organization and operation; validating all actions, orders or other proceedings relating to the calling, conducting and declaring the results of any confirmation election, or bond election; validating all bonds heretofore voted; validating the appointment or election of Directors; and declaring an emergency."

S. B. No. 89, A bill to be entitled "An Act to amend Chapter 483, Page 902, 51st Legislature, Acts 1949, as amended by Chapter 324, Section 1, Page 861, 54th Legislature, Acts 1955, Revised Civil Statutes of Texas, compiled as Article 5248g, Vernon's Annotated Civil Statutes, to provide for the granting by deed executed by the Governor of the State of Texas to the United States of certain portions of the beds and banks of the Pecos and Devils Rivers for the purposes of storage and flood control projects in accordance with the functions of the International Boundary and Water Commission, United States and United Mexican States; and declaring an emergency."

H. C. R. No. 17, Granting permission to Connecticut General Life Insurance Company to sue the State of Texas.

H. C. R. No. 23, Granting Claude Keeton et al. permission to sue the State of Texas.

House Bills and Resolution on First Reading

The following bills and resolution received from the House were read the first time and referred to the committees indicated:

H. C. R. No. 22, To the Committee on State Affairs.

H. B. No. 13, To the Committee on Counties, Cities and Towns.

H. B. No. 26, To the Committee on Counties, Cities and Towns.

H. B. No. 101, To the Committee on Game and Fish.

H. B. No. 20, To the Committee on Game and Fish.

H. B. No. 88, To the Committee on Game and Fish.

H. B. No. 85, To the Committee on Counties, Cities and Towns.

H. B. No. 83, To the Committee on Banking.

H. B. No. 82, To the Committee on Counties, Cities and Towns.

H. B. No. 27, To the Committee on Game and Fish.

H. B. No. 58, To the Committee on Counties Cities and Towns.

H. B. No. 93, To the Committees on Counties, Cities and Towns.

H. B. No. 92, To the Committee on Counties, Cities and Towns.

H. B. No. 91, To the Committee on Game and Fish.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 82, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 58, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 59, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 85, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 26, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 92, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Krueger by unanimous consent submitted the following reports:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 88, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass and be not printed.

KRUEGER, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 101, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KRUEGER, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 91, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

House Bill 53 Re-referred

On motion of Senator Creighton and by unanimous consent H. B. No. 53 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Counties, Cities and Towns.

House Bill 101 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 101 was ordered not printed.

House Bill 88 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent H. B. No. 88 was ordered not printed.

House Bill 85 Ordered Not Printed

On motion of Senator Baker and by unanimous consent H. B. No. 85 was ordered not printed.

House Bill 82 Ordered Not Printed

On motion of Senator Lane and by unanimous consent H. B. No. 82 was ordered not printed.

House Bill 81 Ordered Not Printed

On motion of Senator Calhoun and

by unanimous consent H. B. No. 81 was ordered not printed.

House Bill 91 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 91 was ordered not printed.

House Bill 34 Ordered Not Printed

On motion of Senator Hudson and by unanimous consent H. B. No. 34 was ordered not printed.

House Bill 92 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 92 was ordered not printed.

House Bill 93 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 93 was ordered not printed.

House Bill 59 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 59 was ordered not printed.

House Bill 26 Ordered Not Printed

On motion of Senator Owen and by unanimous consent H. B. No. 26 was ordered not printed.

House Bill 58 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 58 was ordered not printed.

House Bill 35 Ordered Not Printed

Senator Hardeman asked unanimous consent that H. B. No. 35 be ordered not printed.

There was objection.

Senator Hardeman then moved that H. B. No. 35 be ordered not printed.

Question on the motion to not print H. B. No. 35, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—21

Aikin	Fuller
Baker	Hardeman
Crump	Hazlewood
Dies	Hudson

Kazen	Reagan
Lane	Schwartz
Martin	Secrest
Moffett	Smith
Owen	Spears
Parkhouse	Willis
Ratliff	

Nays—8

Calhoun	Krueger
Colson	Moore
Creighton	Patman
Herring	Rogers

Absent—Excused

Roberts	Weinert
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Message from the House

Hall of the House of Representatives
Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate.

Sir: I am directed by the House to
inform the Senate that the House has
passed the following:

House has appointed the following
Conferees on House Bill No. 3: Cole
of Harris, chairman; Kennard; Mc-
Gregor of El Paso; Stewart of Wich-
ita; and Townsend.

S. B. No. 35, A bill to be entitled
"An Act amending Chapter 318, Acts
of the 51st Legislature, Regular Ses-
sion, 1949, as amended, codified as
Article 5421m, Vernon's Texas Civil
Statutes, and Article 3.50 of the In-
surance Code of the State of Texas,
Acts 55th Legislature, 1957, page 801,
Ch. 336, as amended, by adding there-
to new sections so as to authorize the
Veterans' Land Board to enter into
a master agreement with one or more
life insurance companies to provide
mortgage cancellation life insurance
coverage for purchasers indebted to
the Veterans' Land Board; prescribing
administration, powers and duties;
prescribing certain limitations; and
declaring an emergency."

(With amendments.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk House of Representatives

**Conference Committee on
House Bill 3**

Senator Reagan called from the
President's table for consideration at

this time, the request of the House
for a Conference Committee to ad-
just the differences between the two
Houses on House Bill 3 and moved
that the request be granted.

The motion to grant the request
prevailed.

Accordingly, the President Pro
Tempore announced the appointment
of the following Conferees on the bill
on the part of the Senate: Senators
Owen, Reagan, Dies, Krueger and
Creighton.

**Senate Bill 53 with House
Amendments**

Senator Fuller called S. B. No. 53
from the President's table for consid-
eration of the House amendments to
the bill.

The President Pro Tempore laid
the bill and House amendments be-
fore the Senate, and the House amend-
ments were read.

Senator Fuller moved that the Sen-
ate concur in the House amendments.

The motion prevailed by the follow-
ing vote:

Yeas—27

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Nays—1

Parkhouse

Absent

Baker

Absent—Excused

Roberts	Weinert
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**Senate Bill 39 with House
Amendments**

Senator Rogers called S. B. No. 39
from the President's table for con-
sideration of the House amendments
to the bill.

The President Pro Tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Rogers moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President Pro Tempore announced the appointment of the following conferees on the part of the Senate on the bill: Senators Rogers, Hazlewood, Moffett, Smith and Spears.

Senate Bill 35 with House Amendments

Senator Martin called S. B. No. 35 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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Message from the House

Hall of the House of Representatives

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 40, An Act amending Section 2 of Chapter 223, Acts of the 56th Legislature, Regular Session, 1959, page 505 (codified as Article 4437f of Vernon's Annotated Civil Statutes of Texas), in regard to the definition of "hospital"; containing a severance clause; and declaring an emergency.

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 53, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

House Bill 53 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent H. B. No. 53 was ordered not printed.

House Concurrent Resolution 22 Re-referred

On motion of Senator Moore and by unanimous consent H. C. R. No. 22 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Recess

On motion of Senator Aikin the Senate at 12:57 o'clock p.m. took recess until 3:00 o'clock p.m. today.

Record of Vote

Senator Hudson asked to be recorded as voting "Nay" on the motion to recess.

After Recess

The President Pro Tempore called

the Senate to order at 3:00 o'clock p.m. today.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the committee indicated:

By Senators Schwartz and Moffett:

S. B. No. 100, A bill to be entitled "An Act abolishing the board of county school trustees and the office of county superintendent in any county in this State having a population of not less than seventy-five thousand (75,000) and not more than one hundred twenty-five thousand (125,000) according to the last preceding Federal census which has not more than one (1) common school district and whose county ad valorem evaluation is in excess of One Hundred Forty Million Dollars (\$140,000,000); providing that the present county superintendents of such counties shall serve out their terms to which elected or appointed; and that thereafter the duties of the county board of school trustees and of county superintendents shall be performed by the county judges of such counties, without additional compensation; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Schwartz:

S. B. No. 101, A bill to be entitled "An Act creating a Court of Domestic Relations for Galveston County, Texas; fixing the jurisdiction; conforming the jurisdiction of other courts thereto; fixing its term; providing the manner of selection, tenure and compensation of the Judge and other officers of said Court; providing the manner of and grounds for removal of the Judge of said Court; providing for the membership of the Juvenile Board of Galveston County; providing for appeals to higher courts; providing the procedure of said Court; providing for the services of certain county and district officers to said Court; containing a saving clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Willis:

S. B. No. 102, A bill to be entitled

"An Act making appropriations out of the General Revenue Fund to the Veterans Affairs Commission for the employment of additional stenographers; providing additional per diem and travel expense for the Board of Barber Examiners out of the Barber Examiners Fund; and declaring an emergency."

To the Committee on Finance.

Local and Uncontested Bills Session

The President Pro Tempore announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

Senate Bill 92 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 92, A bill to be entitled "An Act to amend Section 19 of the Texas Unemployment Compensation Act, as amended, (Senate Bill No. 5, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as amended) to change the definition of the term "employment" to exclude from coverage of the Texas Unemployment Compensation Act certain services performed by students pursuant to vocational training programs of the public schools of the State of Texas whereby such students receive on-the-job training to supplement classroom studies; providing an effective date of this Act; providing for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 92 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Colson
Baker	Creighton
Calhoun	Crump

Dies	Owen
Fuller	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff
Herring	Reagan
Hudson	Rogers
Kazen	Schwartz
Krueger	Secrest
Lane	Smith
Martin	Spears
Moffett	Willis
Moore	

Absent—Excused

Roberts Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

Message from the House

Hall of the House of Representatives
Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 10, Providing for the appointment of a Commission, as designated, to determine whether it is desirable and feasible for the State of Texas to enter the 1964-65 World's Fair, and setting forth the Commission's duties.

H. C. R. No. 26, Providing for appointment of a Committee, as designated, for the purpose of making a

comprehensive study of indigent citizens of the State and to report recommendations to the Fifty-eighth Legislature.

S. B. No. 23, A bill to be entitled "An Act amending Section 9 of Chapter 136, Acts of the 42nd Legislature, Regular Session, 1941, to allow the County Judge of Travis County to sit and act for the Judge of the County Court at Law of Travis County in the event of his absence or incapacity; and declaring an emergency."

S. B. No. 31, A bill to be entitled "An Act creating Brazoria County Road District No. 36, of Brazoria County, Texas, under authority of Section 52, Article III, Constitution of Texas; etc.; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Senate Bill 97 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 97, A bill to be Entitled "An Act amending Chapter 26, Acts of the 56th Legislature, Second Called Session, 1959, as last amended, codified as Article 8280-243, Vernon's Texas Civil Statutes, by adding thereto a new section so as to provide for the reorganization of the district contingent upon the results of an election for the approval or disapproval of certain proposed projects; providing powers, duties and administration; repealing all laws or parts of laws in conflict therewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 97 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Colson
Baker	Creighton
Calhoun	Crump

Dies	Owen
Fuller	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff
Herring	Reagan
Hudson	Rogers
Kazen	Schwartz
Krueger	Secrest
Lane	Smith
Martin	Spears
Moffett	Willis
Moore	

Absent—Excused

Roberts Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

Senate Bill 90 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment S. B. No. 90.

There was objection to the consideration by Senators Patman and Hudson.

Senate Bill 96 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 96, A bill to be entitled "An Act amending Chapter 16, Acts of the 51st Legislature, 1st Called Session, 1950, by adding a new section to be known as Section 1a changing the name and designation of County

Court at Law of Lubbock County to County Court at Law No. 1 of Lubbock County; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 96 on Third Reading

Senator Smith moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 96 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

House Bill 101 on Second Reading

Senator Aikin moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 101 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 101, A bill to be entitled "An Act relating to the hunting, taking or killing of deer in Hopkins, Delta, and Franklin Counties; amending Subsection B of Section 1 of Chapter 362, Acts of the Fifty-seventh Legislature, Regular Session, 1961, to establish a ten-day season for the taking of deer in Hopkins, Delta and Franklin Counties; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 101 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 101 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Colson	Moffett
Calhoun	Moore
Baker	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 85 on Second Reading

Senator Baker moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 85 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 85, A bill to be entitled "An Act to authorize the trustees of independent school districts having fewer than one hundred seventy-five thousand (175,000) scholastics

according to the last official scholastic census, whether created by general law or special Act, in counties having a population of more than one million two hundred thousand (1,200,000), according to the last preceding federal census, to fix the date of election of such trustees on the first Saturday in April or on the first Saturday in October as the trustees by official Resolution may provide; to authorize the trustees of such independent school districts in said counties to provide by Resolution for the election of trustees by a majority vote and to provide for a second election in the event no candidate receives such vote at the first election; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 85 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 85 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 19 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading.

H. B. No. 19, A bill to be entitled "An Act creating a conservation and reclamation district under the pro-

visions of Section 59 of Article XVI, Constitution of Texas, to be known as "Memorial Villages Water Authority; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 19 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 29 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 29, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution, to be known as 'Henderson County Municipal Water Authority,' comprising certain territory contained within Henderson County, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and treating, transporting, and distributing the same, and constructing sanitary sewers and facilities; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 29 on Third Reading

Senator Calhoun moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Calhoun
Baker	Colson

Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Spears
Martin	Willis
Moffett	

Absent—Excused

Roberts Weinert

House Bill 17 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading. (The bill having been read the second time on Thursday, January 25, 1962.)

Question—Shall H. B. No. 17 as amended be passed to third reading?

The bill as amended was passed to third reading.

House Bill 17 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

House Bill 24 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 24, A bill to be entitled "An Act validating Liberty County Water Control and Improvement District No. 5; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 24 to third reading.

House Bill 24 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 24 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hudson
Baker	Kazen
Calhoun	Krueger
Colson	Lane
Creighton	Martin
Crump	Moffett
Dies	Moore
Fuller	Owen
Hazlewood	Parkhouse
Herring	Patman

Ratliff	Secrest
Reagan	Smith
Rogers	Spears
Schwartz	Willis

Nays—1

Hardeman

Absent—Excused

Roberts Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Spears
Lane	Willis

Nays—1

Hardeman

Absent—Excused

Roberts Weinert

House Bill 53 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 53, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds heretofore authorized by any Home Rule City in the State of Texas, for the purpose of providing street and drainage improvements, or for the purpose of constructing new fire stations, and any and all proceedings, pertaining to the authorization and issuance thereof; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be re-

corded as voting "Nay" on the passage of H. B. No. 53 to third reading.

House Bill 53 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Nays—2

Hardeman	Moffett
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Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Nays—2

Hardeman	Moffett
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Absent—Excused

Roberts	Weinert
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House Bill 91 on Second Reading

Senator Crump moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 91 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Spears
Lane	Willis

Nays—1

Hardeman

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 91, A bill to be entitled "An Act limiting the provisions of this Act to the County of Mills, making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in said County at any time; to take, kill or trap or attempt to take, kill or trap any fur-bearing animal in said County or to take or attempt to take any fish or other aquatic or marine animal from said County by any means or method; providing the powers, duties and authority of the Game and Fish Commission; etc., and declaring an emergency."

The bill was read the second time and passed to third reading.

Record of Vote

Senator Hardeman asked to be re-

corded as voting "Nay" on the passage of H. B. No. 91 to third reading.

House Bill 91 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 91 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Spears
Lane	Willis

Nays—1

Hardeman

Absent—Excused

Roberts Weinert

House Bill 93 on Second Reading

Senator Hardeman moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 93 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts

Weinert

The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 93, A bill to be entitled "An Act establishing a juvenile board in Runnels County; providing for the Board's powers, duties, and authority; providing for its membership and the compensation to be paid the members; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 93 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 93 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts

Weinert

House Bill 92 on Second Reading

Senator Hardeman moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 92 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid the bill before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 92, A bill to be entitled "An Act amending Section 1 of Chapter 376, Acts of the 54th Legislature, Regular Session, 1955, codified as Article 8280-176, Vernon's Texas Civil Statutes, so as to change the name of the Runnels County Water Improvement District to the 'Runnels County Water Improvement Authority'; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 92 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 92 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Krueger
Baker	Lane
Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Schwartz
Kazen	Secrest

Smith	Willis
Spears	

Absent—Excused

Roberts	Weinert
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House Bill 88 on Second Reading

Senator Crump moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 88 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 88, A bill to be entitled "An Act relating to the hunting, taking, or killing of antlerless deer in Travis County; providing penalties; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 88 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 88 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 82 on Second Reading

Senator Lane moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 82 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 82, A bill to be entitled "An Act authorizing the exchange and conveyance of certain State-owned realty for certain realty owned by the United States; describing by

metes and bounds the realty authorized to be exchanged; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 82 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 82 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 26 on Second Reading

Senator Owen moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 26 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Krueger
Baker	Lane
Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Hazlewood	Ratliff
Herring	Reagan
Hudson	Rogers
Kazen	Schwartz

Secrest
Smith

Spears
Willis

Nays—1

Hardeman

Absent—Excused

Roberts

Weinert

The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 26, A bill to be entitled "An Act ratifying, confirming and validating the El Paso County Water Control and Improvement District-Westway and declaring it to be a validity existing and operating conservation and reclamation district under Section 59, Article 16, Constitution of Texas; etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 26 to third reading.

House Bill 26 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 26 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Spears
Lane	Willis

Nays—1

Hardeman

Absent—Excused

Roberts

Weinert

House Bill 81 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 81, A bill to be entitled "An Act to amend Section 2, Article 4 of Chapter V of Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, as amended, codified as Section 2 of Article 342-504, Vernon's Texas Civil Statutes, relating to the conditions upon which State banks may make loans upon security of real estate or invest funds in obligations secured by real estate, so as to liberalize the limitation of percentage of appraised value of residential real estate which may be included in the total 'net balance' owing upon the indebtedness secured by such lien; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 81 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 81 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts

Weinert

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 58 on Second Reading

Senator Ratliff moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 58 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 58, A bill to be entitled "An Act amending Section 1 of Chapter 85, Acts of the 54th Legislature, Regular Session, 1955 (compiled as Article 326k-27 of Vernon's Texas

Civil Statutes), authorizing the appointment of an investigator by the District Attorney of the 118th Judicial District, to serve as investigator in that judicial district; prescribing his powers and duties and providing for his compensation and expenses; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 58 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 58 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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House Bill 49 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 49, A bill to be entitled "An Act amending Article 2335, Revised Civil Statutes of Texas, 1925, to provide that persons or institutions given custody of children adjudged dependent and neglected by courts of competent jurisdiction shall be responsible for the child's education and maintenance, including the providing of necessary dental, medical and surgical care and treatment; repealing all laws and parts of laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 49 on Third Reading

Senator Spears moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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Senate Bills 29 and 59 Added to Local and Uncontested Bills Calendar

On motion of Senator Martin and by unanimous consent Senate Bills Nos. 29 and 59 were added to the Local and Uncontested Bills Calendar.

Reports of Standing Committee

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 100, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 101, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 100 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 100 was ordered not printed.

Senate Bill 101 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 101 was ordered not printed.

Message from the House

Hall of the House of Representatives

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President
Pro Tempore of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 28, Granting permission to Mr. C. G. Way and Ruby May Watson, Bessie Hazel Brown, and Helen Kenty, as heirs of E. L. and Annie Brady, to sue the State of Texas.

S. B. No. 46, A bill to be entitled "An Act validating the action of certain junior college districts relating

to the conduct of bond elections, validating bonds issued and to be issued, bond taxes and maintenance taxes and providing this Act shall have no application to litigation now pending questioning the matters hereby validated, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated; providing a savings clause; and declaring an emergency."

S. B. No. 57, Creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, to be known as Brazoria County Water Control and Improvement District-Brushy Meadows; declaring District a governmental agency, body politic and corporate; defining the boundaries; etc.; and declaring an emergency."

With amendments.

S. B. No. 68, A bill to be entitled "An Act prohibiting the possession or use of any seine, net, or trawl in or around the waters of Lake Houston in Harris County; providing for the use of certain tackle for catching bait in such waters; providing a penalty for the violation of any provision of this Act; granting the Game and Fish Commission the power to seize and hold certain tackle as evidence, repealing all laws or parts of laws in conflict, with certain exceptions; and declaring an emergency."

S. B. No. 71, A bill to be entitled "An Act amending Section 3 of Chapter 10, Acts of the 57th Legislature, First Called Session, 1961, so as to authorize the State Parks Board to grant concessions to certain concessioners to charge for the use of a pier to be constructed in Lavaca Bay; and declaring an emergency."

S. B. No. 72, A bill to be entitled "An Act conveying whatever right title or interest the State of Texas may have in certain lands to the City of Mineral Wells; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 29 on Third Reading

The President Pro Tempore laid before the Senate on its final passage S. B. No. 29 (the bill having been

read the third time on Friday, January 26, 1962).

Question: Shall H. B. No. 29 be finally passed?

S. B. No. 29 was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts

Weinert

Senate Bill 59 on Second Reading

Senator Schwartz moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 59 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Spears
Lane	Willis

Nays—1

Hardeman

Absent—Excused

Roberts

Weinert

The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 59, A bill to be entitled "An Act authorizing the Commissioners Court, in all counties having a population in excess of One Hundred Forty Thousand (140,000) but not in excess of Two Hundred Thousand (200,000) according to the last preceding or any future Federal Census, and having an assessed valuation in excess of two Hundred Fifty Million Dollars (\$250,000,000) to allow each member of the Commissioners Court an adequate motor vehicle, providing for motor vehicle expense, providing for the expenditure of county funds, providing for an accounting; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 59 to engrossment.

Senate Bill 59 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 59 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Spears
Lane	Willis

Nays—1

Hardeman

Absent—Excused

Roberts

Weinert

Senate Bills 100 and 101 Added to Local and Uncontested Bills Calendar

On motion of Senator Martin and by unanimous consent S. B. Nos. 100 and 101 were added to the Local and Uncontested Bills Calendar.

Senate Bill 100 on Second Reading

Senator Schwartz moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 100 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts

Weinert

The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 100, A bill to be entitled "An Act abolishing the board of county school trustees and the office of county superintendent in any county in this State having a population of not less than seventy-five thousand (75,000) and not more than one hundred twenty-five thousand (125,000) according to the last preceding Federal Census which has not more than one (1) common school district and whose county ad valorem evaluation is in excess of One Hundred Forty Million Dollars (\$140,000,000); etc.; and declaring an emergency."

The bill was read the second time.

Senator Schwartz offered the following amendment to the bill:

Amend S. B. 100 by designating present Section 1 as Section 1(a) and adding the following Section (b).

(b) From and after the effective date of this Act the office of the county board of school trustees and the office of county superintendent shall cease to exist in any county in the State having a population of not less than one Hundred and Thirty-five thousand (135,000) and not more than Two Hundred thousand (200,000) according to the last preceding Federal Census which has no common school district and whose county ad valorem evaluation is in excess of Two Hundred and Fifty Million Dollars (\$250,000,000); provided, however, that the county superintendents in such counties who have been heretofore elected or appointed to the office of county superintendent shall serve until the expiration of the term for which they were elected or appointed. The duties now performed by the board of school trustees and county superintendents in such counties shall be performed by the county judges of such counties; provided, further, that said county judges shall not be entitled to receive any additional compensation as a result of these additional duties, except from county funds, and in any event not to exceed \$2,650 per annum.

The amendment was adopted.

On motion of Senator Schwartz and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 100 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 100 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Dies
Baker	Fuller
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson

Kazen	Ratliff
Krueger	Reagan
Lane	Rogers
Martin	Schwartz
Moffett	Secrest
Moore	Smith
Owen	Spears
Parkhouse	Willis
Patman	

Absent—Excused

Roberts	Weinert
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Senate Bill 101 on Second Reading

Senator Schwartz moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 101 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts	Weinert
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The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 101, A bill to be entitled "An Act creating a Court of Domestic Relations for Galveston County, Texas; fixing the jurisdiction; conforming the jurisdiction of other courts thereto; fixing its term; providing the manner of selection, tenure and compensation of the Judge and other officers of said Court; providing the manner of and grounds for removal of the Judge of said Court; providing for the membership of the Juvenile Board of Galveston County;

providing for appeals to higher courts; providing the procedure of said Court; providing for the services of certain county and district officers to said Court; containing a saving clause; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 101 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 101 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Absent—Excused

Roberts Weinert

Conclusion of Local and Uncontested Bills Calendar Session

The President Pro Tempore announced the conclusion of the Session for the consideration of the Local and Uncontested Bills Calendar.

Senate Concurrent Resolution 23

Senator Hardeman offered the following resolution:

S. C. R. No. 23, Relative to furnishings in Sam Houston Room of Mansion being transferred to Archives Building.

Whereas, It is imperative that certain repairs be made in the Governor's Mansion, including repairs to the heating and air conditioning equipment and ducts, which will ne-

cessitate extended closing of portions thereof to public visitations; and

Whereas, The "Sam Houston Room" with its furnishings are priceless heritages of our freedom and provide the greatest attraction for tourists and visitors, and in order that these tourists and visitors may be enabled to continue to view such furnishings, it is deemed appropriate that the furnishings be removed to the unoccupied "Period" room adjoining the lobby of the Archives and Library Building for continued public display, Now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Board of Control be, and it is hereby authorized and directed to remove the furnishings in the Sam Houston Room of the Governor's Mansion to the Archives and Library Building for appropriate uninterrupted display for public viewing.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the resolution was considered immediately and was adopted.

Message from the House

Hall of the House of Representatives
Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 45, A bill to be entitled "An Act authorizing counties to pay for the relocation of water lines owned by water control and improvement districts under certain circumstances; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 99 on Second Reading

Senator Martin moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 99 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Fuller	Rogers
Hardeman	Schwartz
Hazlewood	Secrest
Herring	Smith
Hudson	Spears
Kazen	Willis
Krueger	

Nays—1

Patman

Absent

Moore

Absent—Excused

Roberts

Weinert

The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 99, A bill to be entitled "An Act appropriating the balance in the prepaid funeral contract fund to the Department of Banking and amending Sec. 10 of Chapter 512, Acts of the 54th Legislature, to provide for the collection of filing fees and examination costs under that Act by the Banking Department of Texas.

The bill was read the second time.

Senator Martin offered the following amendment to the bill:

Amend S. B. No. 99 by inserting a new section to be numbered and to read as follows:

"Sec. 1A. It is further provided that moneys appropriated for the expenses of the Senate by item 2, Article VI of S. B. No. 1, Acts, 1961, 57th Legislature, First Called Session, may also be expended for per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, capital outlay, and other necessary expenses incurred by the Senate of Texas during the Third Called Session of the 57th Legislature."

The amendment was adopted.

On motion of Senator Martin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 99 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 99 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Fuller	Rogers
Hardeman	Schwartz
Hazlewood	Secrest
Herring	Smith
Hudson	Spears
Kazen	Willis
Krueger	

Nays—1

Patman

Absent

Moore

Absent—Excused

Roberts

Weinert

Leave of Absence

Senator Baker was granted leave of absence for the remainder of the day on account of important business on motion of Senator Aikin.

Senate Bill 74 on Second Reading

Senator Martin asked unanimous consent to suspend the regular order of business and take up S. B. No. 74 for consideration at this time.

There was objection.

Senator Martin then moved to suspend the regular order of business and take up S. B. No. 74 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lane
Calhoun	Martin
Colson	Moffett
Crump	Parkhouse
Dies	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Schwartz
Hudson	Smith
Kazen	Spears
Krueger	Willis

Nays—3

Creighton	Patman
Owen	

Absent

Fuller	Secrest
Moore	

Absent—Excused

Baker	Weinert
Roberts	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 74, A bill to be entitled "An Act to amend Chapter 4 of the Insurance Code (Acts 1951, 52nd Leg., Ch. 491, as amended) by adding thereto a new article to be designated Art. 4.08, relating to escheat and unclaimed funds, providing that said Article shall be known as the 'Unclaimed Funds Statute for Life Insurance Companies'; defining the scope of the Article; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 74 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 74 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Dies
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson

Kazen	Reagan
Krueger	Rogers
Lane	Schwartz
Martin	Smith
Moffett	Spears
Parkhouse	Willis
Ratliff	

Nays—2

Owen	Patman
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Absent

Fuller	Secrest
Moore	

Absent—Excused

Baker	Weinert
Roberts	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 39.

House has appointed the following Conference Committee: Wells—Chairman, Buchanan, McIlhany, Osborn, and Quilliam.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Concurrent Resolutions on First Reading

The following House Concurrent Resolutions received from the House, were read the first time and referred to the committees indicated:

H. C. R. No. 10, To the Committee on State Affairs.

H. C. R. No. 26, To the Committee on State Affairs.

H. C. R. No. 28, To the Committee on Jurisprudence.

Bill Signed

The President Pro Tempore signed in the presence of the Senate after the caption had been read, the following enrolled bill:

H. B. No. 77, A bill to be entitled "An Act amending Section 10 of the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the 43rd Legislature (1934), page 19, as amended by Chapter 2, Special Laws of the Regular Session of the 46th Legislature (1939), page 1048, by Chapter 61, Acts of the Regular Session of the 51st Legislature (1949), page 101, and by Chapter 165, Acts of the Regular Session of the 54th Legislature (1955), page 532, and by Chapter 327, Acts of the Regular Session of the 56th Legislature (1959), page 708, so as to authorize the Lower Colorado River Authority to sell bonds to the United States of America, or to agency or corporation created or designated by the United States of America; etc.; and declaring an emergency."

Senate Bill 94 on Second Reading

Senator Hardeman asked unanimous consent to suspend the regular order of business and take up S. B. No. 94 for consideration at this time.

There was objection.

Senator Hardeman then moved to suspend the regular order of business and take up S. B. No. 94 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Aikin	Martin
Calhoun	Parkhouse
Colson	Ratliff
Crump	Reagan
Hardeman	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Lane	Willis

Nays—4

Creighton	Moffett
Krueger	Patman

Absent

Dies	Moore
Fuller	Owen
Hazlewood	Rogers

Absent—Excused

Baker	Weinert
Roberts	

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 94, A bill to be entitled "An Act providing for improvements, construction, equipment, designation of buildings, landscaping and related actions in the Capitol Area; etc., and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend Senate Bill No. 94 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. The State Building Commission is hereby authorized to plan, design, construct and equip a parking garage on Block 171 of the City of Austin, in cooperation with the Texas Employment Commission; provided that the parking facility shall be so constructed that it will serve as the foundation for any future building that may be constructed on this lot, with the top level of the parking facility not to exceed the maximum elevation of said block. The Texas Employment Commission is hereby authorized to cooperate with the State Building Commission to accomplish this purpose and to expend as its portion of the cost all such funds as may be available to the Texas Employment Commission for such purpose, and such funds are hereby appropriated therefor. The balance of such cost shall be paid by the State Building Commission out of any funds heretofore appropriated to the Commission for acquisition of land in the Capitol Area, Item 10 of the appropriation to the State Building Commission in Senate Bill No. 1, Acts of the 57th Legislature, First Called Session, 1961, or from any additional and unappropriated funds which accrue to the State Building Commission within two years after the effective date of this Act; provided that the State Building Commission shall expend as its portion of the cost of the parking facility not to exceed \$700,000 if it is constructed for parking purposes alone, and not to exceed \$950,000 if it is constructed in a manner to serve

also as an emergency control center and shelter for the operation of State government in time of fallout danger or other emergency. All funds accruing to the State Building Commission within two years after the effective date of this Act, not to exceed \$1,300,000, and not heretofore appropriated, are hereby appropriated for the purposes set out in Item 10 of Senate Bill No. 1, 57th Legislature, First Called Session, and for the additional purposes set out in this Act.

The State Building Commission, the Texas Employment Commission, and the State Board of Control are authorized to make such inter-agency agreements as may be necessary for the accomplishment of the purposes of this Act, including the operation of the parking facility and any emergency control center that may be incorporated, allocation of space, operation charges, upkeep and repair of the structure. From any revenues received from the parking facility, there is hereby appropriated to the State Building Commission, or the operational agency designated in the inter-agency agreement such sum as may be necessary to pay costs of operation and maintenance, and the remainder of such revenue shall be deposited in the State Treasury to the account of the State Building Commission. If the emergency control center is incorporated in the structure and Federal matching funds are provided therefor, the State Building Commission is authorized to receive such funds, and they are hereby appropriated for such purposes.

Sec. 2. In addition to the purposes set out in Item 10 of the appropriation made to the State Building Commission in Senate Bill No. 1, Acts of the 57th Legislature, First Called Session, 1961, and from such appropriation and the additional appropriation made in Section 1 above, the State Building Commission is authorized to expend such sums as may be necessary to:

(a) Landscape and construct walks and gates between the Capitol Building and the State Insurance Building, with removal of the present iron fence only at the places necessary for such walks and gates, and to build such drives and passageways as may be necessary in front of the State Insurance Building east of and outside of the present iron fence located on the Capitol grounds.

(b) Move to suitable State-owned locations any buildings usable to house State agencies when such buildings have been acquired in connection with the Capitol expansion plan, and to acquire additional land if necessary for such purposes.

(c) Purchase for future Capitol Area expansion Lots 4, 5 and 6 of Block 148 of the City of Austin lying immediately west of the Capitol grounds, and demolition of any unusable structures thereon.

(d) Purchase such equipment and machinery as may be necessary to replace obsolete heating and air-conditioning plant in the Executive Mansion, and to furnish such equipment to the State Board of Control for installation.

Sec. 3. The State Building Commission and the State Board of Control are hereby authorized to affix permanent names for certain State Office buildings as follows:

(a) The new first State Office Building shall be known as the Sam Houston State Office Building.

(b) The second State Office Building, now under construction, shall be known as the John H. Reagan State Office Building.

(c) The former General Land Office Building now occupied by the Texas Education Agency shall be known as the Mirabeau B. Lamar Education Building.

(d) The Tribune Building now occupied by the Texas Railroad Commission, shall be known as the Jim Hogg Railroad Commission Building.

The appropriate State agencies named in this Act and now occupying such buildings shall cooperate in the naming and marking of the structures in accordance with the provisions of this Act; provided, however, that each or any marker, plaque, nameplate or other identification marker shall contain only the official name of the building and the date of its erection, on each of said buildings and that such marker, plaque, nameplate or other identification marker shall not contain or include the name or names of any living person or persons whomsoever and provided further that such building or buildings shall have no plaques, markers, nameplates or other identification plates or markers anywhere thereon containing the names of any person or persons now living. Provided, further, that the names of any persons, now living now placed on any of the

aforesaid buildings shall be immediately removed therefrom and shall not be replaced thereon.

Sec. 4. The State Board of Control is hereby authorized to replace the granite capstones at the entrances to the Capitol Grounds, and to relocate the light fixtures.

Sec. 5. The urgent need for additional parking facilities and for other improvements and designations of State buildings create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Senator Hardeman and by unanimous consent the amendment was not read but he explained it.

Senator Kazen offered the following amendment to the pending amendment:

Amend floor amendment to S. B. No. 94 by striking out all of subsection (c) of Sec. 2, on page 2 and changing the following sub-section designation (d) to (c).

The amendment was read.

Senator Schwartz moved to table the amendment by Senator Kazen to the pending amendment.

Question on the motion to table. Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Aikin	Martin
Calhoun	Moore
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Krueger	Spears
Lane	Willis

Nays—3

Kazen	Patman
Moffett	

Absent

Dies	Owen
Fuller	

Absent—Excused

Baker	Weinert
Roberts	

The amendment by Senator Hardeman to S. B. No. 94 was then adopted.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill.

The bill as amended was passed to engrossment.

Senate Bill 94 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 94 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Martin
Calhoun	Moore
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Nays—2

Moffett	Patman
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Absent

Dies	Owen
Fuller	

Absent—Excused

Baker	Weinert
Roberts	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Martin
Calhoun	Moore
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Spears
Krueger	Willis
Lane	

Nays—2

Moffett	Patman
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Absent

Dies	Owen
Fuller	

Absent—Excused

Baker	Weinert
Roberts	

Messages from the Governor

The following messages received from the Governor today were read and was filed with the Secretary of the Senate:

January 29, 1962.

To the Members of the 57th Legislature, Third Called Session:

In order to clear up possible delays in consideration of a bill relating to second primaries, I herewith submit amendments to Article 13.49 of the Election Code as well as Article 240 of the Penal Code previously submitted.

Respectfully submitted,
PRICE DANIEL,
Governor.

January 29, 1962.

To the Members of the 57th Legislature, Third Called Session:

At the request of members with pending bills, I herewith submit the subject of amending S. B. 192, Chapter 292, Regular Session of the Fifty-seventh Legislature, to provide for abolishment of the office of County School Superintendent in certain counties, effective upon vote of the people on this question.

I also submit the subject of registration fees for liquid fertilizer trailers.

Respectfully submitted,
PRICE DANIEL,
Governor.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the committees indicated:

H. B. No. 45, To the Committee on Counties, Cities and Towns.

Committee on House Concurrent Resolution 8

The President Pro Tempore announced the appointment of the following as a committee from the Senate on H. C. R. No. 8: Senators Krueger, Kazen, Baker, Crump and Roberts.

Report of Standing Committee

Senator Hardeman by unanimous consent submitted the following report:

Austin, Texas,
January 29, 1962.

Hon. Charles F. Herring, President Pro Tempore of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 28, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

House Concurrent Resolution 28
Ordered Not Printed

On motion of Senator Colson and by unanimous consent H. C. R. No. 28 was ordered not printed.

Senate Bill 40 with
House Amendments

Senator Martin called S. B. No. 40 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Creighton
Calhoun	Crump
Colson	Dies

Fuller	Owen
Hardeman	Parkhouse
Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Martin	Spears
Moffett	Willis
Moore	

Nays—1

Schwartz

Absent—Excused

Baker	Weinert
Roberts	

Motion to Adjourn

Senator Moffett moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Senator Hudson moved that the Senate stand recessed for five minutes.

Question first on the motion to adjourn until 10:30 o'clock a.m. tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—9

Calhoun	Krueger
Colson	Moffett
Creighton	Moore
Herring	Spears
Kazen	

Nays—16

Aikin	Parkhouse
Crump	Patman
Dies	Ratliff
Hardeman	Reagan
Hudson	Schwartz
Lane	Secrest
Martin	Smith
Owen	Willis

Absent

Fuller	Rogers
Hazlewood	

Absent—Excused

Baker	Weinert
Roberts	

Question next on the motion to recess for five minutes the motion was lost.

Extra Copies of Senate Concurrent Resolution 20 Ordered Printed

On motion of Senator Willis and by unanimous consent 15 extra copies of S. C. R. No. 20 were ordered printed.

Extra Copies of Senate Resolution 45 Ordered Printed

On motion of Senator Willis and by unanimous consent 15 extra copies of S. R. No. 45 were ordered printed.

Motion to Adjourn

Senator Moffett moved that the Senate stand adjourned until 10:35 o'clock a.m. tomorrow.

Question on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—9

Calhoun	Krueger
Colson	Moffett
Creighton	Moore
Herring	Spears
Kazen	

Nays—16

Aikin	Parkhouse
Crump	Patman
Dies	Ratliff
Hardeman	Reagan
Hudson	Schwartz
Lane	Secrest
Martin	Smith
Owen	Willis

Absent

Fuller	Rogers
Hazlewood	

Absent—Excused

Baker	Weinert
Roberts	

Motion to Place Senate Bill 77 on Second Reading

Senator Hudson asked unanimous consent to suspend the regular order of business and take up S. B. No. 77 for consideration at this time.

There was objection.

Senator Hudson then moved to suspend the regular order of business and take up S. B. No. 77 for consideration at this time.

The motion was lost by the following vote: (not receiving two-thirds vote of the Members present):

Yeas—11

Aikin	Martin
Crump	Ratliff
Hardeman	Reagan
Hudson	Secrest
Kazen	Smith
Lane	

Nays—14

Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Dies	Patman
Herring	Schwartz
Krueger	Spears
Moffett	Willis

Absent

Fuller	Rogers
Hazlewood	

Absent—Excused

Baker	Weinert
Roberts	

Welcome Resolutions

S. R. No. 55—By Senator Schwartz: Extending welcome to members of Senior Class of Needville High School and teachers.

S. R. No. 57—By Senator Krueger for Senator Herring: Extending welcome to students of Brentwood School of Austin and teacher, Mrs. Marjorie Hill.

S. R. No. 59—By Senator Crump for Senator Moore: Extending welcome to Fairfield High School students and teachers.

Adjournment

On motion of Senator Dies the Senate at 5:16 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

In Memory of
Mrs. Lula Kennedy Parker

Senator Hardeman offered the following resolution:

(Senate Resolution 54)

Whereas, Mrs. Lula Kennedy Parker, a respected daughter of one of the State's oldest and most respected families, being early settlers in Anderson County, was born on January 5, 1884, passed from her earthly labors on January 15, 1962; and

Whereas, Mrs. Parker attended school and grew to young womanhood in her native community of Elkhart and thereupon was married to Mr. Fagan Parker, after which they engaged in ranching and farming in Anderson County for many years, later moving to Waco where he served as General Farm-Manager for The Great Southern Life Insurance Company and during which time Mrs. Parker was active in church work and civic affairs; and

Whereas, Following the demise of her husband in 1939, Mrs. Parker purchased a house and removed to Center, Texas and continued her interest and work in the Methodist Church, of which she was a lifelong member until her passing; and

Whereas, Her many and unassuming contributions and assistance to individuals and to her community endeared her to her neighbors, as well as to all those within her acquaintance; and

Whereas, She is survived by her only daughter, Mrs. Lois Parker Lane, wife of our distinguished colleague, Honorable Wardlow Lane, it is the desire of the Senate to express to them its deep sympathy; now, therefore, be it

Resolved by the Senate of Texas, That it does hereby express its sympathy to Senator and Mrs. Wardlow Lane; and be it further

Resolved, That copies of this resolution under the seal of the Senate be forwarded to them, and that when the Senate adjourns today it do so in honor of Mrs. Parker.

HARDEMAN

Signed—Charles F. Herring, President Pro Tempore; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Hazlewood, Hudson, Kazen, Krueger, Martin, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Spears, Weinert, Willis.

The resolution was read.

On motion of Senator Parkhouse, the names of all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
J. Alton York

Senator Moore offered the following resolution:

(Senate Resolution 58)

Whereas, In the passing of J. Alton York on the twenty-seventh day of January, 1962, the State of Texas lost one of its most worthy citizens; and

Whereas, Mr. York was a graduate of the University of Texas, and was admitted to the Bar in 1928; and

Whereas, In 1940, he was elected to the Senate of the State of Texas from Brazos County, Texas, and rendered distinguished service to the people of Texas for eight years, remaining a friend of the Senate up to the time of his death; and

Whereas, He served as Washington County District Attorney, moving to Dallas several years later to begin his law practice there; and

Whereas, Mr. York is survived by his wife, Mrs. Estelle H. York; two brothers, Milton York of Dallas, Texas and Patton York of Chicago, Illinois; one sister, Mrs. A. J. Rowe of Fort Worth, Texas; now, therefore, be it

Resolved, That it is the desire of the Senate of the Fifty-seventh Legislature to pay tribute to this outstanding citizen; and be it further

Resolved, That when the Senate adjourns today it do so in his memory and that a page in the permanent Senate Journal be devoted to the recording of this resolution; and be it further

Resolved, That an enrolled copy of this resolution be sent to the surviving members of his family as a token of respect and sympathy.

MOORE

Signed—Charles F. Herring, President Pro Tempore; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Hardeman, Hazlewood, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Spears, Weinert, Willis.

The resolution was read.

On motion of Senator Willis and by unanimous consent the names of the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.